

DOCKET NO. 103413CIP
Serial No. 09/847,913
Response to office action dated 02/10/2005

PATENT

REMARKS

Claims 1-2, 6-8, 11-17 and 19-22 are in the case.

The courtesies extended by Examiner Fisher in a telephone interview today are gratefully acknowledged. The Examiner and the undersigned discussed the indication of allowable subject matter in the Final Rejection, page 5, and how the applicant intended to amend the claims so as to be limited to the allowable subject matter.

The Final Rejection indicated that "package delivery service" was being read as being "merely the retailer or shipper." Such interpretation was never the intention of applicant and so it was suggested by the undersigned that limiting to "courier service" would be a more appropriate limitation and should be interpreted as the category of companies which includes Federal Express, UPS, DHL, and US Postal Service Express Mail, but not a package service affiliated with the manufacturer or warrantor.

The phrase "courier service" is well supported in the specification and the drawings.

Support for the use of the term "courier service" to mean a "third party shipper" of the FedEx and UPS type is found by doing a "Google" type search, which today resulted in the attached documents printed from the Internet. The term "courier service" or "courier" is circled on the attached documents. These exhibits printed today reflect the extremely common understanding of this phrase in current English language. It is extremely unlikely that anyone would interpret this phrase as meaning the manufacturer of the warranted physical product.

All of the claims have been so limited by the present amendment. Reconsideration of the rejection is respectfully requested.

Applicant has agreed to expressly abandon the copending application over which this application has been rejected for double patenting and will do so as soon as the PTO indicates that this application is in allowable condition. The Examiner is requested to telephone the undersigned when this application is deemed allowable and then the express abandonment will be filed by fax.

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It is believed that these amendments put the application in condition for allowance.

Respectfully Submitted,

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